

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

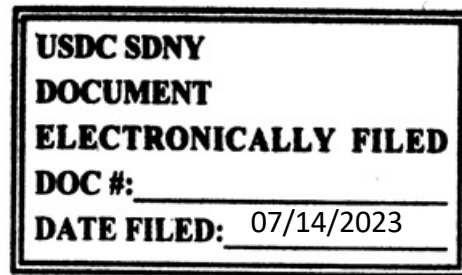
Keila Severino, individually and behalf of all  
other similarly situated persons,

Plaintiff,

-against-

Avondale Care Group, LLC,

Defendant.



1:21-cv-10720 (LGS) (SDA)

ORDER

**STEWART D. AARON, United States Magistrate Judge:**

On Thursday, July 13, 2023, the parties filed a joint letter advising the Court that they have reached a settlement in principle and requesting a stay. (7/13/23 Joint Ltr., ECF No. 273) The parties' request for a stay is GRANTED.

Since this case raises claims under the Fair Labor Standards Act, the Court must review the settlement agreement pursuant to *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 206 (2d Cir. 2015). The parties may consent to Judge Aaron's jurisdiction for purposes of the *Cheeks* review by filing a consent form, which can be found at the following link: [https://www.nysd.uscourts.gov/sites/default/files/practice\\_documents/sdaConsentToProceedBeforeUSMagistrateJudge.pdf](https://www.nysd.uscourts.gov/sites/default/files/practice_documents/sdaConsentToProceedBeforeUSMagistrateJudge.pdf).

It is hereby ORDERED that the parties provide a copy of the settlement agreement to the Court together with a letter explaining why the settlement, including any provision for attorneys' fees and costs, is fair, reasonable and adequate under *Cheeks*. Any such letter or motion shall be filed no later than Friday, August 25, 2023, and should address the claims and defenses, the defendant's potential monetary exposure and the bases for any such calculations, the strengths

and weaknesses of the plaintiffs' case and the defendant's defenses, any other factors that justify the discrepancy between the potential value of plaintiffs' claims and the settlement amount, the litigation and negotiation process, as well as any other issues that might be pertinent to the question of whether the settlement is reasonable (for example, the collectability of any judgment if the case went to trial).

The joint letter or motion should also explain the attorney fee arrangement, attach a copy of the retainer agreement, and provide information as to actual attorney's hours expended and the relevant experience of the attorney(s). Finally, a copy of the settlement agreement itself must accompany the joint letter or motion.

**SO ORDERED.**

Dated: New York, New York  
July 14, 2023

A handwritten signature in black ink, reading "Stewart D. Aaron", is positioned above a horizontal line.

STEWART D. AARON  
United States Magistrate Judge